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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,556	10/09/2001	Andrew G. Austin	4589P011	7152
8791	7590	10/20/2003		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES, CA 90025			EXAMINER GALL, LLOYD A	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/974,556

Applicant(s)

AUSTIN, ANDREW G.

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Penniman et al (592).

In figure 5, and as set forth in column 4, lines 43-57, Penniman teaches a housing 214 having an access door 24 movable between open and closed positions, a slot in the housing (the "aperture" of column 4, lines 55-56) to receive the lock head 38 of the lock, which lock head is movable between the claimed first and second orientations, and a latch assembly 226 having at least a portion thereof within the housing to maintain the

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access door in the closed position when the lock head exhibits its second orientation, and a removable component defined by the hard drive as set forth in column 4, line 49.

Claims 1, 2, 4-6 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al (378).

Lee et al teaches a housing 100, an access door 20 having a receptacle 206 to receive a retaining element end of a latch 224, which latch allows or prevents movement of the access door, a slot 11 in the housing to receive a locking head 42 of a lock which is movable between first and second orientations, a removable component 30 in figure 11, a handle 220 guided by a guide element slot of the housing as seen in fig. 1, a stop element of the latch which is defined by the rectangular portion of the latch of figure 3 which has the slot 226 therein, which stop element engages the lock head 42.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Penniman et al in view of either Satou et al (227) or Evanicky et al.

Satou et al teaches a lamp 24 used with latchable computer components, as does Evanicky et al teach a lamp used with latchable projector/computer structure. To modify the apparatus of Penniman et al such that it is used with a removable lamp, would have been obvious in view of the teaching of Sato et al or Evanicky et al, since the access

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door apparatus of Penniman et al would function just as well with any well known removable computer structure.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al in view of Hotsumi.

Hotsumi teaches a spring 70 to bias a latch 68 into its door engaging position. To utilize a spring with the latch of Lee et al, would have been obvious in view of the teaching of Hotsumi, the motivation being that the latch would automatically extend into its door engaging position as is conventional with latch bolts, to simplify locking of the door.

Claims 3, 11, 12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al in view of either Sato et al (227) or Evanicky et al.

All of the references have been discussed above. To modify the apparatus of Lee et al such that it is used with a removable lamp, would have been obvious in view of the teaching of Sato et al or Evanicky, since the access door of Lee et al would function just as well with any well known removable computer structure.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Lee et al reference as applied to claim 11 above, and further in view of Hotsumi.

Hotsumi has been discussed above. To utilize a spring with the latch of Lee et al, would have been obvious in view of the teaching of Hotsumi, the motivation being that the latch would automatically extend into its door engaging position as is conventional with latch bolts, to simplify locking of the door.

Applicant's arguments filed July 25, 2003 have been fully considered but they are not persuasive. In response to applicant's remarks in the last paragraph of page 9 and the top of page 10, it is resubmitted that the sliding bar 226 of Penniman et al is properly relied upon as the claimed latch. When the lock head 38 of Penniman is oriented into its second, locked orientation with respect to the housing, the latch 226 as well as the lock 42 itself as seen in fig. 5 clearly maintains the access door 24 in its closed position. It is not clear what "interaction" limitations in the claims are not taught by the reference.

With respect to the remarks on page 11, the last paragraph, it is also resubmitted that the element 20 of Lee may be regarded as a door, providing access to an interior of the housing. As seen in fig. 3 of Lee, inward movement of the pushing device or door 20 of Lee exposes the interior of at least a portion of the housing as seen to the right of the door 20, which may provide access for at least a screw driver or other tool. It is submitted that no particular type of movement of the door is claimed which would preclude the element 20 of Lee from being relied upon as a door. The remainder of applicant's remarks are regarded as moot, since the Penniman and Lee references are resubmitted as teaching the structure for which they were relied upon.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

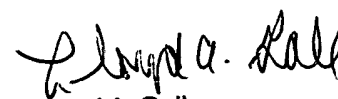
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

LG LG
October 16, 2003


Lloyd A. Gall
Primary Examiner